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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,416	06/15/2001	Petrus Van Beek	KLR 7146.100	8410

7590 12/07/2004

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ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/882,416	<b>Applicant(s)</b> BEEK ET AL. 	
	<b>Examiner</b> Khanh B. Pham	<b>Art Unit</b> 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☒ Claim(s) 1-59 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 1-59** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

**Claims 1-40 and 47-59** direct to "a JPEG2000 file", which is a data structure or abstract idea; it is not tangibly embodied, for example, on a computer readable medium. It also appears to be non-functional descriptive material.

**Claims 41-46** direct to "a MPEG-7 description scheme", which is a data structure or abstract idea. It is not tangibly embodied on a computer readable medium so as to be executable. It also appears to be non-functional descriptive material.

### ***Claim Objections***

2. **Claims 1-59** are objected to because of the following informalities:

- Independent claims 1, 15, 29, 47 recite at lines 1-2:

"A JPEG2000 file comprising:

(a) said JPEG2000 file containing a plurality of boxes containing data..."

The language of the claims is redundant and makes it unclear whether the elements (b) and (c) are included in the JPEG2000 file.

- Independent claim 41 recites at lines 1-2:

"A MPEG-7 description scheme comprising:

(a) a MPEG-7 description scheme that includes the identification..."

The language of the claim is redundant and makes it unclear whether the elements (b) and (c) are included in the MPEG-7 description scheme.

3. Claim 53 is objected to because of the following informality: claim 53 recites the limitation "**said content**" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, the examiner presumes "said content" refers to "content of said image", as recited in claims 1, 15 and treats it as "content of said image" in this Office Action. Appropriate correction is required.

4. Claims 29-40 are objected to because of the following informality: misspelled word "**MEPG-7**" at line 5 of claim 29 should be changed to "MPEG-7". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 41-42, 46** are rejected under 35 U.S.C. 102(b) as being anticipated by Pereira ("MPEG-7: a Standard for Describing Audiovisual Information", 1999), hereinafter "Pereira".

**As per claim 41,** Pereira teaches a MPEG-7 description scheme (page 6/4, 3<sup>rd</sup> paragraph) comprising:

- "a MPEG-7 description scheme that includes the identification of the format of at least one of audio and visual media" at page 6/1, last paragraph;
- "said description scheme including data for rendering said at least one of said audio and visual media" at page 6/2, 2<sup>nd</sup> paragraph (i.e., "reproduction data");
- "said at least one of said audio and visual media being contained within said description scheme" at page 6/2, 2<sup>nd</sup> paragraph. (Pereira teaches that "MPEG-7 descriptions may be physically co-located with the 'reproduction data', in the same data stream")

**As per claim 42,** Pereira teaches the MPEG-7 description scheme of claim 41 wherein "said description scheme is InlineMedia".

(The examiner relies on Applicant's specification for the definition of "InlineMedia", "that permits the identification of the format of the media stream" and "enables the description of audio and/or visual data located within the description itself, without having to refer to a location external to the description" (page 7, last paragraph). As discussed in the rejection of claim 41 above, Pereira teaches a similar

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description scheme and therefore anticipated the claimed element.)

**As per claim 46**, Pereira teaches the MPEG-7 description scheme of claim 41 wherein "said data is binary" at page 6/1, 2<sup>nd</sup> paragraph (i.e., "digital" format).

7. **Claims 47-49 and 54 are rejected under 35 U.S.C. 102(a)** as being anticipated by "JPEG 2000 Image Coding System" Final Committee Draft Version 1.0, March 16, 2000, (supplied by Applicant in IDS, paper No. 6), hereinafter "IT-JPEG2000".

**As per claim 47**, IP-JPEG2000 teaches a JPEG2000 file (see page 139, Fig. I-1) comprising:

- "a plurality of boxes containing data suitable to render an image" at page 139, Fig. I-1;
- "at least one of said boxes being at least one of a metadata box and a UUID box" at page 139, Fig. I-1, page 140, section I.4.5 and page 158, section 1.9.2;
- "including information within said at least one of said metadata box and said UUID box indicating the location of binary data, within said JPEG2000 file and not within said at least one of said metadata box and said UUID box, associated with said image" at page 158, sections I.9.2 and I.9.3.

(IT-JPEG2000 teaches that UUID boxes can be used to store binary data, and UUID Info boxes, which act as index for the

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UUID's in the file, contains a list of UUID's and specifies links (i.e., "location") to more information. UUID boxes and UUID Info boxes are distinct but within the JPEG2000 file.)

**As per claim 48**, IP-JPEG2000 teaches the JPEG2000 file of claim 47 wherein "said information is in XML format" at page 157, section I.9.1.

**As per claim 49**, IP-JPEG2000 teaches the JPEG2000 file of claim 47 wherein "said JPEG2000 file is compliant with the JPEG2000 standard" at page 140, section I.4.6.

**As per claim 54**, IT-JPEG2000 teaches the JPEG2000 file of claim 47 wherein "said information includes links to information external to said JPEG2000 file" at page 159, section I.9.3.2.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

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were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. **Claims 1-40, 50-53 and 55-59** are rejected under 35 U.S.C. 103(a) as being unpatentable over **IT-JPEG2000** as applied to claims 47-49 and 54 above, and in view of Qian et al. (US 6,070,167), hereinafter "**Qian**".

**As per claim 1**, IT-JPEG2000 teaches a JPEG2000 file (page 139, Fig. I-1) comprising:

- "a plurality of boxes containing data suitable to render an image" at page 139, Fig. I-1;
- "at least one of said boxes being a metadata box" at page 140 section I.4.5;

IT-JPEG2000 teaches the ability to add data to metadata boxes of a JPEG2000 file (section I.4.5) but does not explicitly teach: "including information within said metadata box describing the content of said image" as claimed. However, Qian teaches an analogous method that enable association of descriptive data to an JPEG2000 image to provide interactivity with said image at Col. 1 lines 59-67 and Col. 2 line 30-50. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings. Qian suggests



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adding descriptive data information to a JPEG2000 file in order to "utiliz[e] such information in content-based information retrieval, object-based editing and manipulation application" at Col. 2, lines 30-35 and Col. 4 lines 13-25.

**As per claim 2**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. IT-JPEG2000 also teaches: "wherein said information is in XML format" at page 157, section I.9.1.

**As per claim 3**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. IT-JPEG2000 also teaches: "wherein said JPEG2000 file is compliant with the JPEG2000 standard" at page 140, section I.4.6.

**As per claim 4**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. Qian also teaches: "wherein said information provides interactivity within said image" at Col. 4 lines 13-25.

**As per claim 5**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 4 as discussed above. Qian also teaches: "wherein said interactivity includes providing a bounding region of a portion of said image" at Col. 2, lines 45-50.

**As per claim 6**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 5 as discussed above. Qian also teaches: "wherein said bounding region is rectangular" at Col. 2 lines 39-40.

**As per claim 7**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 5 as discussed above. Qian also teaches: "wherein additional information regarding said content is associated with said bounding region of said image" at Col. 5 lines 22-30.

**As per claim 8**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. Qian also teaches: "wherein said information includes links to information external to said JPEG2000 file" at Col. 2 lines 48-51.

**As per claim 9** IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. Qian also teaches: "wherein said information includes voice annotation" at Col. 5 line 24.

**As per claim 10**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. Qian also teaches: "wherein said information includes object boundary information" at Col. 5 line 24.

**As per claim 11**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. Qian also teaches: "wherein said information includes textual information regarding the content of said image free from copyright information" at Col. 5 lines 23-24 and Col. 6 lines 15-17.

**As per claim 12**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 1 as discussed above. Qian also teaches: "wherein said information is MPEG-7 data" at Col. 5 lines 25-30.

**As per claim 13**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 12 as discussed above. Qian also teaches: "wherein said MPEG-7 data is compliant with the MPEG-7 specification" at Col. 5 lines 25-29.

**As per claim 14**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 12 as discussed above. Qian also teaches: "wherein said information includes binary data" at Col. 6 lines 1-20.

**As per claim 15**, IT-JPEG2000 teaches a JPEG2000 file comprising:

- "a plurality of boxes containing data suitable to render an image" at page 139, Fig. I-1;
- "at least one of said boxes being a UUID box" at page 158, section I.9.2.

IT-JPEG2000 teaches the ability to add data to UUID boxes of a JPEG2000 file (section I.9.3) but does not explicitly teach: "including information within said UUID box describing the content of said image" as claimed. However, Qian teaches an analogous method that enable association of descriptive data to an JPEG2000 image to provide interactivity with said image at Col. 1 lines 59-67 and Col. 2 line 30-50. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings because Qian suggests adding descriptive data information to a JPEG2000 file in order to "utiliz[e] such information in content-based information retrieval, object-based editing and manipulation application" at Col. 2, lines 30-35 and Col. 4 lines 13-25.

**As per claim 16**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. IT-JPEG2000 also teaches: "wherein said information is in XML format" at page 157, section I.9.1.

**As per claim 17**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. IT-JPEG2000 also teaches: "wherein said JPEG2000 file is compliant with the JPEG2000 standard" at page 140, section I.4.6.

**As per claim 18**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. Qian also teaches: "wherein said information provides interactivity with said image" at Col. 4 lines 13-25.

**As per claim 19**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 18 as discussed above. Qian also teaches: "wherein said interactivity includes providing a bounding region of a portion of said image" at Col. 2 lines 45-50.

**As per claim 20**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 19 as discussed above. Qian also teaches: "wherein said bounding region is rectangular" at Col. 2 lines 60-65.

**As per claim 21**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 19 as discussed above. Qian also teaches: "wherein additional information regarding said content is associated with said bounding region of said image" at Col. 5 lines 22-30.

**As per claim 22**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. Qian also teaches: "wherein said information includes links to information external to said JPEG2000 file" at Col. 2 lines 48-51.

**As per claim 23**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. Qian also teaches: "wherein said information includes voice annotation" at Col. 5 line 24.

**As per claim 24**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. Qian also teaches: "wherein said information includes object boundary information" at Col. 5 line 24.

**As per claim 25**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. Qian also teaches: "wherein said information includes textual information regarding the content of said image free from copyright information" at Col. 6 lines 15-17.

**As per claim 26**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 15 as discussed above. Qian also teaches: "wherein said information is MPEG-7 data" at Col. 5 lines 25-30.

**As per claim 27**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 26 as discussed above. Qian also teaches: "wherein said MPEG-7 data is compliant with the MPEG-7 specification" at Col. 5 lines 25-29.

**As per claim 28**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 26 as discussed above. Qian also teaches: "wherein said information includes binary data" at Col. 6 lines 1-20.

**As per claim 29**, IT-JPEG2000 teaches a JPEG2000 file comprising:

- "said JPEG2000 file being compliant with the JPEG2000 specification" at page 140, section I.4.6;
- "and containing a plurality of boxes containing data suitable to render an image" at page 139, Fig. I.1;

IT-JPEG2000 teaches the ability to add data to metadata boxes of a JPEG2000 file (section I.4.5) but does not explicitly teach: "at least one of said boxes containing MPEG-7 compliant description schemes" as claimed. However, Qian teaches an analogous method for adding data to an JPEG2000 image to provide interactivity with said image, wherein the data comprises MPEG-7 compliant description schemes at Col. 1 lines 59-67 and Col. 5 lines 22-30. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings. Qian suggests adding data information comprising MPEG-7 compliant description schemes to a JPEG2000 file because "By associating MPEG-7 descriptors to images, the images may be retrieved based on their graphical contents by advanced search engines. " at Col. 2, lines 30-35 and Col. 4 lines 13-25.

**As per claim 30**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 29 as discussed above. IT-JPEG2000 also teaches: "further including information within at least one of a metadata box and a UUID box, wherein said information is in XML format" at page 139, Fig. I-1 and page 157, section I.9.1. Qian also teaches: "information describing the content of said image" at Col. 5 lines 22-30.

**As per claim 31**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 29 as discussed above. IT-JPEG2000 also teaches: "wherein said JPEG2000 file includes a metadata box" at page 140, section I.4.5.

**As per claim 32**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 30 as discussed above. Qian also teaches: "wherein said information provides interactivity with said image" at Col. 4 lines 13-25.

**As per claim 33**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 32 as discussed above. Qian also teaches: "wherein said interactivity includes providing a bounding region of a portion of said image" at Col. 2 lines 45-50.

**As per claim 34**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 33 as discussed above. Qian also teaches: "wherein said bounding region is rectangular" at Col. 2 lines 60-65.

**As per claim 35**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 33 as discussed above. Qian also teaches: "wherein additional information regarding said content is associated with said bounding region of said image" at Col. 5 lines 22-30.

**As per claim 36**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 30 as discussed above. Qian also teaches: "wherein said information includes links to information external to said JPEG2000 file" at Col. 2 lines 48-51.

**As per claim 37**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 30 as discussed above. Qian also teaches: "wherein said information includes voice annotation" at Col. 5 lines 24.

**As per claim 38**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 30 as discussed above. Qian also teaches: "wherein said information includes object boundary information" at Col. 5 line 24.

**As per claim 39**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 30 as discussed above. Qian also teaches: "wherein said information includes textual information regarding the content of said image free from copyright information" at Col. 5 lines 23-24 and Col. 6 lines 15-17.

**As per claim 40**, Col. 5 lines 23-24 and the JPEG2000 file of claim 29 as discussed above. Qian also teaches: "wherein said MPEG-7 compliant description scheme includes binary data" at Col. 6 lines 18-21.

**As per claim 50**, IP-JPEG2000 teaches the JPEG2000 file of claim 47 as discussed above. IT-JPEG2000 teaches the ability to add data to metadata or UUID boxes of a JPEG2000 file (section I.4.5) but does not explicitly teach: "said information provides interactivity with said image" as claimed. However, Qian teaches an analogous method that enable association of descriptive data to an JPEG2000 image to provide



interactivity with said image at Col. 1 lines 59-67 and Col. 2 line 30-50. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings. Qian suggests adding descriptive data information to a JPEG2000 file in order to "utiliz[e] such information in content-based information retrieval, object-based editing and manipulation application" at Col. 2, lines 30-35 and Col. 4 lines 13-25.

**As per claim 51**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 50 as discussed above. Qian also teaches: "wherein said interactivity includes providing a bounding region of a portion of said image" at Col. 2 lines 45-50.

**As per claim 52**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 51 as discussed above. Qian also teaches: "wherein said bounding region is rectangular" at Col. 2 lines 60-65.

**As per claim 53**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 51 as discussed above. Qian also teaches: "wherein additional information regarding said content is associated with said bounding region of said image" at Col. 5 lines 22-30.

**As per claim 55**, IT-JPEG2000 teaches the JPEG2000 file of claim 47 as discussed above. IT-JPEG200 teaches that binary data can be added using UUID boxes at page 158, section I.9.3, but does not explicitly teaches that "said binary data includes voice annotation" as claimed. However, Qian teaches an analogous method for adding data to an JPEG2000 image to provide interactivity with said image (Col. 2, lines 30-50), wherein the data includes voice annotation at Col. 1 lines 59-67. Thus, it would

have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings. Adding voice annotation to a JPEG2000 file as suggested by Qian will enhance user experiencing with the JPEG2000 file by providing sound output in addition to displaying only still image.

**As per claim 56**, IT-JPEG2000 teaches the JPEG2000 file of claim 47 as discussed above. IT-JPEG200 teaches that binary data can be added to UUID boxes at page 158, section I.9.3, but does not explicitly teaches that "said binary data includes object boundary information" as claimed. However, Qian teaches an analogous method for adding data to an JPEG2000 image to provide interactivity with said, wherein the data includes object boundary information at Col. 2 lines 30-50. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings. Qian suggests adding object boundary information to a JPEG2000 file in order to "utiliz[e] such information in content-based information retrieval, object-based editing and manipulation application" at Col. 2, lines 30-35 and Col. 4 lines 13-25.

**As per claim 57**, IT-JPEG2000 teaches the JPEG2000 file of claim 47 as discussed above. IT-JPEG200 teaches that binary data can be added to UUID boxes at page 158, section I.9.3, but does not explicitly teaches that "said information includes textual information regarding the content of said image free from copyright information" as claimed. However, Qian teaches an analogous method for adding data to an JPEG2000 image to provide interactivity with said, wherein "the data includes textual information regarding the content of said image free from copyright information" at Col.

5 lines 22-30. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings. Qian suggests adding textual information to a JPEG2000 file in order to "utiliz[e] such information in content-based information retrieval, object-based editing and manipulation application" at Col. 2, lines 30-35 and Col. 4 lines 13-25.

**As per claim 58**, IT-JPEG2000 teaches the JPEG2000 file of claim 47 as discussed above. IT-JPEG2000 teaches the ability to add data to metadata boxes of a JPEG2000 file (section I.4.5) but does not explicitly teach: "said information is MPEG-7 data" as claimed. However, Qian teaches an analogous method for adding data to an JPEG2000 image to provide interactivity with said image, wherein the data comprises MPEG-7 data at Col. 5 lines 25-28. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine IT-JPEG2000 and Qian's teachings. Qian suggests adding MPEG-7 data to a JPEG2000 file because "By associating MPEG-7 descriptors to images, the images may be retrieved based on their graphical contents by advanced search engines." at Col. 2, lines 30-35 and Col. 4 lines 13-25.

**As per claim 59**, IT-JPEG2000 and Qian teach the JPEG2000 file of claim 58 as discussed above. Qian also teaches: "wherein said MPEG-7 data is compliant with the MPEG-7 specification" at Col. 5 lines 25-30.

11. **Claims 43-45** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Pereira** as applied to claims 41-42 and 46 above, and in view of "MPEG-7 Multimedia

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Description Scheme, Description Definition language V 3.0, N3391", (supplied by Applicant in IDS, paper No. 6), hereinafter referred to as "**N3391**".

**As per claim 43**, Pereira teaches the description scheme of claim 41 as discussed above. Pereira does not explicitly teach: "said description scheme includes a choice of two different encoding scheme for data, namely, base16 and base64" as claimed. However, N3391 describes a MPEG-7 description scheme, which includes "choice of two different encoding scheme for data, namely base16 and base64" at page 11, section 6.2.4.7. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to employ the encoding scheme as taught in N3391 into Pereira's description scheme because N3391 represents the International Standard for MPEG-7 description scheme. Using the encoding scheme as suggested by N3391 will ensure that the description scheme will be compliant with the standard, and therefore compatible with all applications implemented based on the standard.

**As per claim 44**, Pereira and N3391 teach the description scheme of claim 43 as discussed above. N3391 also teaches: "said base16 is part of an element name MediaData16" at page 11, section 6.2.4.7.

**As per claim 45**, Pereira and N3391 teach the description scheme of claim 43 as discussed above. N3391 also teaches: "said base64 is part of an element name MediaData64" at page 11, section 6.2.4.7.

***Response to Arguments***

12. Applicant's arguments with respect to claims 1-3, 15-17, 41-49 and 54 have been considered but are moot in view of the new ground(s) of rejection.

13. Applicant's arguments with respect to claims 4-14 and 18-40, 50-53, 55-59 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's argument.

Regarding claims 4-14 and 18-40, 50-53, 55-59, applicant argued that "the combination of Qian and IT-JPEG2000 is not suggested anywhere in the prior art" and "there is no suggestion in Qian of exporting his technique into the JPEG2000 file format". On the contrary, Qian explicitly teaches that the invention is designed to work with JPEG2000 as seen at Col. 2, Col. 3 and Col. 10, re-produced bellow:

40 The method of the invention is designed to work with any image compression standard, such as the current JPEG standard, as well as future versions of JPEG, such as JPEG2000. Associating information about bounding rectangles of different image objects, as well as precise contour data are among the unique features of this invention. An

Generation of a hierarchical data structure 16 containing 15  
the information in two levels, where the first layer is called  
the "base layer", is described later herein. An integration  
module 17 combines content related data and the image data  
itself into a common file in the preferred embodiment. This  
combination may be supported as a native part of a future 20  
image file format, such as, for example, that which may be  
adopted by JPEG2000 or MPEG4. It is also possible,  
however, to use currently existing standard file formats by  
extending them in a proprietary fashion. The latter will  
provide backward compatibility in the sense that a legacy 25

and

web pages for certain cities, locations etc.); and (6) it is  
35 generic and applicable to any image compression technique  
as well as to uncompressed images. With the same token, it  
may provide object-based functionalities to any forthcoming  
compression standards, such as JPEG 2000. Although, none

The combination of IT-JPEG2000 and Qian reference are proper because both Qian and IT-JPEG2000 are in the same filed of the art. Qian teaches a method of adding descriptive information to a JPEG2000 file, while IT-JPEG2000 is an International standard for JPEG2000 file format. Applicants are referred to section 10 of this Office Action for detail rejection of the claimed elements and motivation to combine references.

In view of the above argument, the 35 U.S.C 103 rejection is hereby sustained.

### ***Conclusion***

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (571) 272-3574 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham  
Examiner  
Art Unit 2167

November 22, 2004

A handwritten signature in black ink, appearing to read 'Khanh B. Pham', with a long horizontal flourish underneath.